

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 5470-286DV

DATE: December 5, 2003

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER  
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

00727 U.S. PTO  
10/729412



Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☐ a patent application  
☐ a Continuation ☒ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior  
application no.: 09/867,048; filed May 29, 2001, the disclosure of which is  
incorporated herein by reference in its entirety.  
☐ and claims the benefit of Provisional Application No. \_\_\_\_\_; filed \_\_\_\_\_.

Inventor(s) or Application Identifier:

Robert P. Kusy  
Scott W. Zufall  
Matt Camp  
Glenys Thorstenson  
Brian Rucker  
Hiawatha C. Demby, Jr.  
David Ruddell  
Elodia Cole  
Aditya Patel

Entitled: **PULTRUSION APPARATUS FOR CONTINUOUS FABRICATION OF FIBER-  
REINFORCED PLASTIC ARTICLES HAVING A NON-LINEAR SHAPE, METHODS OF  
FABRICATING SUCH ARTICLES, AND COMPOSITIONS USED THEREIN**

Myers Bigel Sibley & Sajovec, P.A.  
P. O. Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401  
Customer No. 20792

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)

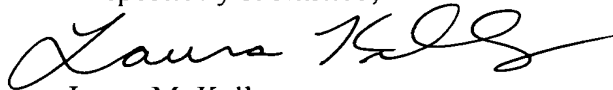
2. ☒ 25 pages of Specification (including 41 claims)
3. ☒ 5 sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
  - a. ☐ newly executed (*original or copy*)
  - b. ☒ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below]
  - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☒ Incorporation By Reference (*useable if box 4b is checked*)  
 The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
7. ☐ Microfiche Computer Program (*Appendix*)
8. ☐ Assignment papers (*cover sheet(s) and document(s)*)
9. ☒ Applicant claims small entity status. See 37 CFR § 1.27.
10. ☒ Information Disclosure Statement, and PTO-1449
11. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12. ☐ English Translation Document
13. ☐ Certified Copy of Application No. ; Filed
14. ☐ Sequence Listing/ Sequence Listing Diskette
  - a. ☐ computer readable copy
  - b. ☐ paper copy
  - c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. ☐ Deletion of Inventor(s) (*Signed statement attached deleting inventor(s) name in the prior application. See 37 CFR 1.63(d)(2) and 1.33(b).*)
18. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form.
19. ☒ Other: Remarks Accompanying Filing of Divisional Application

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate      Fee	Large Entity Rate      Fee
BASIC FEE			\$385.00	\$ 770.00
TOTAL CLAIMS	41 - 20 =	21	x 09 = \$189.00	x 18 = \$
INDEP CLAIMS	3 - 3 =	0	x 43 = \$	x 86 = \$
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 145 = \$	+ 290 = \$
<i>If the difference in Col. 1 is less than zero, Enter "0" in Col. 2</i>			Total \$574.00	Total \$

- ☒ A check in the amount of \$ 574.00 to cover the filing fee is enclosed.
- ☐ A check in the amount of \$ is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$
- ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
  - b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



Laura M. Kelley

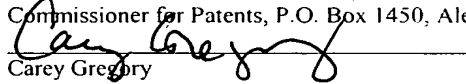
Registration No. 48,441

**CERTIFICATE OF EXPRESS MAILING**

Express Mail Label No. EV 318416642 US

Date of Deposit: December 5, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
Carey Gregory

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. : To Be Assigned

Filed: Concurrently Herewith

For: PULTRUSION APPARATUS FOR CONTINUOUS FABRICATION OF FIBER-  
REINFORCED PLASTIC ARTICLES HAVING A NON-LINEAR SHAPE,  
METHODS OF FABRICATING SUCH ARTICLES, AND COMPOSITIONS USED  
THEREIN

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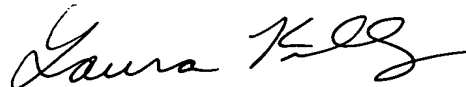
Alexandria, VA 22313-1450

**REMARKS ACCOMPANYING FILING OF DIVISIONAL APPLICATION**

Dear Sirs:

The present divisional application is being filed with Claims 21-61 (renumbered as Claims 1-41) from parent application U.S. Serial No.: 09/867,048 directed to non-elected Inventions identified in the Restriction Requirement of the parent application which has now been allowed. The Claim for Priority on page 1 of the Specification has been amended to include a claim for priority to the parent application. Favorable examination and allowance of the present divisional application is respectfully requested.

Respectfully submitted,



Laura M. Kelley

Registration No. 48,441

Myers Bigel Sibley & Sajovec, P.A.

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Raleigh, North Carolina 27627

Telephone: (919) 854-1400

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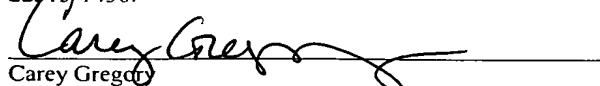
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Carey Gregory